

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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KELLY MCTIERNAN,

Petitioner,

21 **CIVIL** 1543 (JPC)(JLC)

-against-

JUDGMENT

JEFFREY TEDFORD, Superintendent,
Adirondack Correctional Facility,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated August 12, 2024, the Court adopts the Report and Recommendation in its entirety and denies McTiernan's petition for a writ of habeas corpus. As McTiernan has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253(c); see *Hoffler v. Bezio*, 726 F.3d 144, 154 (2d Cir. 2013). Judgment entered in favor of Respondent. Accordingly, the case is closed.

Dated: New York, New York

August 12, 2024

DANIEL ORTIZ
Acting Clerk of Court

BY:



Deputy Clerk